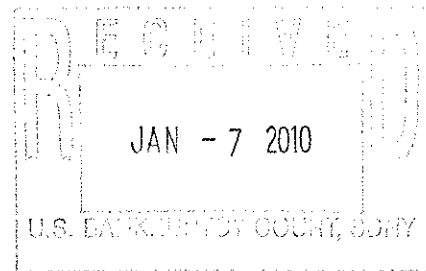


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IN PRO PER

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
SECURITIES INVESTOR PROTECTION
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Case No. 08-1789 (BRL)

SIPA Liquidation

Case No. 08-1789 (BRL)

SIPA Liquidation

Notice of Opposition by Appearing Party to:

**THE NOTICE OF TRUSTEE'S DETERMINATION
OF CLAIM Mailed December 8, 2009**

RE: Claim Number

5845

NOTICE IS HEREBY GIVEN TO THE COURT AND TO IRVING H. PICARD, TRUSTEE

AS FOLLOWS:

The undersigned, an indirect investor, opposes the Trustee's determination that because we did not have a direct account with BLMIS: (1) we are therefore not a "customer" and (2) therefore not entitled to any participation in any credit balance.

We have heretofore sent the Trustee a detailed description of our monies we invested that ultimately found their way into BLMIS, said monies being in the amount of

\$ 416,750.00

In the spring of 2009 we detailed to the Trustee the route of our funds; first to Caroline Investment Company, LP, our conduit (not a customer of BLMIS); then from Caroline to The Lambeth Company, Stanley Chais, General Partner; then from Chais/Lambeth (a customer of BLMIS) to BLMIS, as a customer of BLMIS.

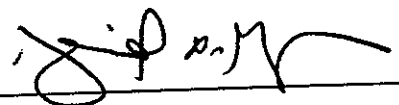
We incorporate by reference all the documentation currently in the Trustee's hands establishing the above connection of our investment which ended up in BLMIS.

The only "customer" in this chain is The Lambeth Company (Stanley Chais sole, General Partner). This entity has publicly announced its inability to file a claim, or its unwillingness to do so, or both.

Thus, the Trustee's position leaves us as victims with no right to share, pro-rata, in any recoveries the Trustee shall make for purposes of distribution.

Please keep us fully advised of any proceedings in connection with the disposition of the Trustee's Determination of Claims, opposed by us.

Respectfully submitted by,

By: 

David Gross
Claimant in Pro Per
Mailed or dispatched on January 6, 2010